

## **REMARKS**

Applicants reply to the Office Action dated May 6, 2010 within three months. The Examiner rejects all pending claims 51-70. Applicants cancel claims 60 and 66 without prejudice or disclaimer to filing similar claims in this or a related application. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments. Applicants assert that the application is in condition for allowance and reconsideration of the pending claims is requested.

*As an introduction, Applicants believe it may be helpful to first describe one embodiment of the invention to assist the Examiner with the new claim elements.* In an embodiment, a system provides a user with a searchable database of incentive offers. The user is able to formulate a search for offers that are of specific interest to the user (e.g. a search for incentive offers for bicycles). The system also “analyze[s] attributes of [the] user[’s] profile” (e.g. location of the user, status level of the user, and/or type of transaction account owned by the user). “Based on the user formulated search and the attributes of the user profile,” the system “identify[ies] a plurality of incentive offer contents” (e.g. the substance of incentive offers for bicycles that meet the criteria for the user search and conform with the user’s profile attributes; for example where the user resides in Manhattan, New York, the system would likely identify bicycles suitable for city riding or where the user resides in Denver, Colorado the system would likely identify bicycles suitable for trail or mountain riding). The system is configured to “identify an incentive offer context based on the attributes of the user profile” (e.g. the display style for the incentive offer contents that would be desirable to the user; for example where the user resides in Manhattan, New York, the system would likely provide a display style associated with a city or, where the user resides in Denver, Colorado the system would likely provide a display style associated with mountains). The system “modif[ies] at least of portion of the plurality of incentive offer contents based on the attributes of the user profile” (e.g. determines a discount amount based on the user being offered the incentive, for example, 10% off for a silver member, 25% off for a gold member, free shipping for a gold member, and/or the like). The system is configured to “filter each summary of the plurality of incentive offer contents from a centralized repository of incentive offer contents, based on the user formulated search and the attributes of the user profile, wherein each summary corresponds to a customized offer for a user” (e.g. summary items are highlighted and/or displayed to a user in accordance with user preferences, for example, a user may have a profile which indicates that the

user prefers not to pay for shipping, so offer summaries for bicycles with free shipping may be displayed such that the free shipping feature of the offer is displayed prominently in the summary). The system “combine[s] each customized offer with the incentive offer context to create a plurality of user offers and display[s] the plurality of user offers.”

**Rejections Under 35 U.S.C. 112**

The Examiner rejects claims 51, 66, 69, and 70 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. In particular, the Examiner objects to the claim elements “analyzing, by the computer based system, a plurality of prior transactions for a user transaction account, wherein the plurality of prior transactions are associated with user purchases of at least one of goods or services from a merchant” and “wherein the centralized repository is a closed system searchable only by the use having the user transaction account.” Applicants respectfully disagree with the Examiner’s rejections. However, Applicants cancel claim 66 without prejudice of disclaimer, and amend claims 51, 69 and 70 to further clarify the patentable aspects of the presently claimed invention.

The Examiner rejects claims 51, 52, 58, 68 and 69 under 35 U.S.C. § 112, second paragraph, as failing to provide insufficient antecedent basis. Applicants amend claims 51, 52, 58, 68 and 69 to clarify the antecedent basis for the various elements identified by the Examiner. As such, Applicants respectfully request withdrawal of the rejections.

**Rejections Under 35 U.S.C. § 102(e)**

The Examiner rejects claims 51-59 and 61-70 under 35 U.S.C. § 102(e) as being anticipated by Brody (U.S. Patent Application Publication No. 2002/0077964). Applicants respectfully disagree with the Examiner; however, Applicants amend certain pending claims to clarify the patentable aspects and to expedite prosecution.

Brody discloses a system and method for providing consumers with credit information including information which can help the consumer evaluate the consumer's credit report or credit worthiness. Brody also provides consumers with suggestions to help consumers better their credit rating and to report to credit bureaus to reflect positive activity conducted by a consumer to improve the consumer's credit rating. However, Brody does not disclose a system that is able to customize the summary or contents of an offer. Moreover, Brody does not disclose an offer that is made up of a content component and a display component that may be customized based on the user seeking

the offer.

As such, Applicants assert that Brody does not disclose at least, “identifying, by the computer based system, a plurality of incentive offer contents based on the user formulated search and the attributes of the user profile,” “identifying, by the computer based system, an incentive offer context based on the attributes of the user profile,” or **“combining, by the computer based system, each customized offer with the incentive offer context to create a plurality of user offers”** (emphasis added) as similarly recited in independent claims 51, 69, and 70.

#### **Rejections Under 35 U.S.C. § 103(a)**

The Examiner rejects claim 60 under 35 U.S.C. § 103(a) as being unpatentable over Brody in view of Cunningham (U.S. Patent No. 6,014,645). Applicants respectfully disagree with the Examiner’s rejections; however, Applicants amend certain claims, without prejudice or disclaimer, to further clarify the patentable aspects and to expedite prosecution.

As discussed above, Brody fails to disclose a system that is able to customize the summary or contents of an offer. Moreover, Brody does not disclose an offer that is made up of a content component and a display component that may be customized based on the user seeking the offer.

Cunningham discloses a system that grades a user based on their credit score and provides offers which are associated with the particular grade. However, like Brody, Cunningham does not disclose a system that is able to customize and/or filter the summary or contents of an offer. Moreover, Cunningham does not disclose an offer that is made up of a content component and a display component that may be customized based on the user seeking the offer.

As such, Applicants assert that the cited references, alone or in combination, do not disclose or contemplate at least, “identifying, by the computer based system, a plurality of incentive offer contents based on the user formulated search and the attributes of the user profile,” “identifying, by the computer based system, an incentive offer context based on the attributes of the user profile,” or **“combining, by the computer based system, each customized offer with the incentive offer context to create a plurality of user offers”** (emphasis added) as similarly recited in independent claims 51, 69, and 70.


Furthermore, claims 52-59, 61-65, and 67-68 variously depend from new independent claim 51. As such, Applicants assert that claims 52-59, 61-65, and 67-68 are differentiated from the cited

references for the same reasons as set forth above, in addition to their own novel features. Thus, Applicants respectfully request allowance of all pending claims.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. If an extension of time is necessary, please accept this as a petition therefore. Applicants invite the Office to telephone the undersigned if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

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